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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,297	07/10/2003	David Brault	84215-302 ADB	1603
23529	7590	11/28/2006	EXAMINER	
ADE & COMPANY INC. 2157 Henderson Highway WINNIPEG, MB R2G1P9 CANADA				GELLNER, JEFFREY L
		ART UNIT		PAPER NUMBER
		3643		

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/6/8297

EXAMINER	
<i>Gellner</i>	

ART UNIT	PAPER
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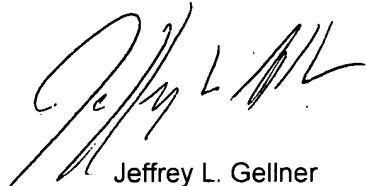
3643 20061116

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Commissioner for Patents

See attached page.



Jeffrey L. Gellner
Primary Examiner
Art Unit: 3643

The reply filed on 8 September 2006 is not fully responsive to the prior Office Action because: The claims in the amendment filed 8 September 2006 are improper. The original claims of this applications, as filed, were apparatus claims. An RCE can not be used to obtain examination of a patentably distinct invention. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.



JEFFREY L. GELLNER
PRIMARY EXAMINER